

ATTACHMENT 2

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Tony Fischer
Attorney at Law
2208 Anacapa St.
Santa Barbara CA 93105
Tel: 805 563 6784
fischlaw@cox.net

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SANTA BARBARA, CA

July 30, 2009

Mayor Marty Blum and Members of the City Council
City of Santa Barbara
City Hall
Santa Barbara, CA 93101

Re: 2105 Anacapa Street--Appeal of Preliminary Vote of Approval by
Single Family Design Board on July 20, 2009

Dear Mayor Blum and Members of the City Council:

The undersigned hereby files this appeal on behalf of Friends of Upper-Anacapa of the approval granted by the SFDB on July 20, 2009. The proposed demolition and construction of this very large house with attached garage results in a structure extremely out of scale with the neighborhood. One comparison is the size of the adjacent small house to the north on Anacapa Street. The proposed new house is too large for the lot and located too close to the streets. There is no logical reason for the violation of the zoning setbacks in this zone. The project has a very high FAR and its excessive size does not honor or reflect the natural slope of the lot. It is not appropriate to the neighborhood. The proposed development is too large and uses artificial fill to attempt to escape the limits intended in the zoning ordinance and the SFDB Guidelines. If built, it will be a permanent and negative change to the neighborhood. The appeal is filed to protect the neighborhood.

The motion as passed by the 4-2 vote of the SFDB called for some changes to the drawings which were not viewed by the SFDB. One member recused himself. At this sensitive corner, approval without an actual drawing for the public to review is not appropriate. Although the minutes reflect that some changes would return in two weeks to the SFDB, the actual motion apparently did not have that condition.

The Applicant is using fill dirt to create an "artificial" basement above natural grade. The concept of placing fill against a wall to create a basement is not consistent with the goals and purposes of the design guidelines drafted to prevent over-building of lots in single-family zones.

This use of the existing footprint of the removed buildings as the footprint of new larger building is not consistent with the intent and wording of the zoning ordinance. The building, as proposed, would violate the zoning ordinance.

The existing house and the existing garage (two separate buildings) are on grade. The proposed long one level house ignores the fact that there is an existing natural slope.

A large home which violates the zoning setbacks established for the zone on a small lot is not consistent with the neighborhood. This building would set an unfortunate precedent for the neighborhood. This is a corner lot and it needs to respect both streets.

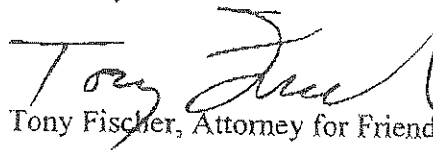
The SFDB did not make adequate findings as required by the zoning ordinance or by CEQA. The findings which were merely references to code requirements are not supported by the evidence in the record. The conditions of the preliminary approval as voted 4-2 by the SFDB are not clear and not consistent with the wording of the draft minutes of the meeting.

The negative comments of the Members of the Planning Commission which voted to express serious concerns with the size, bulk and scale of the project, were not accurately communicated to the SFDB at the July 20 hearing. The minimal changes do not mitigate the excessive size, bulk and scale.

Please contact the undersigned regarding appropriate dates for the appeal hearing in order that interested persons may attend.

Enclosed is a check in the amount of the appeal fee.

Sincerely,



Tony Fischer, Attorney for Friends of Upper Anacapa Street

cc: Charles A. Maunz